◆AO 440 (Rev. 8/01) Summons in a Civil Action UNITED STATES DISTRICT COURT For The District of Delaware BETTY AGEE, Individually and as Representative of the Estate of RICHARD L. AGEE, et al. SUMMONS IN A CIVIL CASE Plaintiffs. A.W. Chesterton, et al. Defendants. CASE NUMBER: 06-668 TO: (Name and address of Defendant) Industrial Holdings Corporation fka The Carborundum Company 745 7th Avenue New York, NY 10199 YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address) Robert Jacobs, Esquire 2 East 7th Street, P.O. Box 1271 Wilmington, DE 19899 an answer to the complaint which is served on you with this summons, within \_\_\_\_\_\_20 of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service. OCT 3 1 2006 PETER T. DALLEO CLERK DATE (By) DEPUTY CLERK

## AO 440 (Rev. 8/01) Summons in a Civil Action

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<sup>(1)</sup> As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.